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URS

August 22, 2000

Mr. Paul Peronard
US Environmental Protection Agency
EPR-SA
999 - 18th Street, #500
Denver, CO 80202

Talked to Jim Stout &
Explained roles of various
folks. He said he was clear
on the subject, was present
Duc Nguyen was present
Bullock

Dear Mr. Peronard:

We are writing this letter to clarify the roles of various EPA individuals and representatives in relation to the Removal Action required by EPA's Unilateral Administrative Order issued to W.R. Grace for the Export Plant in Libby, Montana. It is our understanding that you are the On-Scene Coordinator for the Libby Asbestos Site.

As you know, EPA has asked that we submit any changes to the Approved Work Plan dated July 28, 2000 in writing to EPA for approval. Who has authority from EPA to approve changes to the Work Plan? Does anyone have authority to stop work at the Export Plant other than you? If so, who and under what circumstances? Does anyone other than you have authority to require specific additional conditions on the work being performed at the Export Plant? If so, who and under what circumstances? Who has authority to approve weekly reports?

We have received correspondence from Duc Nguyen indicating that he is On-Scene Coordinator for some aspect of the Removal Action (see e.g., August 17, 2000 letter from Duc Nguyen, "OSC" to Jim Stout). Please clarify Mr. Nguyen's explicit role with respect to any activities in Libby, Montana.

Also, we have been told that Jude Hobza has some authority regarding Removal Action activities. Please clarify Mr. Hobza's explicit role and authority with respect to the Removal Action at the Export Plant.

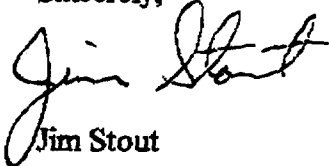
Mr. Christopher Weis has occasionally approached our Removal Action staff with commentary about how the work ought to be performed. We are uncertain what authority Mr. Weis has to require changes in the way the work is being conducted. Also, under what conditions is it appropriate for any EPA personnel to bring unrelated third parties onto the Removal Action area?

Specifically, Mr. Weis brought Les Skramstead onto the Export Plant property on Friday, August 18, 2000 to apparently just look around. Similarly, Mr. Hobza brought two unknown people onto the Export Plant property after hours on August 9, 2000.

We have also been working with Mike Hutchinson and Joe Newton from CDM at the Export Plant. We have been told that these two men are EPA representatives on site. What does that mean? What authority does EPA's representative from CDM at the Export Plant have in terms of signing off on chains of custody, receiving weekly reports, and similar? Can they make decisions about daily issues that arise not explicitly covered by the work plan or addendums? If they cannot, who can? We similarly have trouble getting anyone at the Libby EPA office to accept documents and give us receipts for having submitted documents in a timely fashion. Why does the receptionist refuse to give us receipts? How can we streamline the communications and yet ensure the right people are getting the written reports and addendums?

Clearly, there is considerable confusion about who has what authority. Your earliest response to this inquiry would be appreciated. Until then, we will continue to attempt to work with any EPA representative on site and submit all written correspondence to you and anyone else who seems appropriate. Thank you for your attention to this matter.

Sincerely,



Jim Stout
Project Coordinator
Libby Asbestos Site

cc: David Cleary, WR Grace